

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**Theresa Allen,**

**Plaintiff,**

**v.**

**Texas Dep't of Family and Protective Svcs.,**

**Defendant.**

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**Civil Action No. 4:11-4170**

**ORDER**

Pending before the Court is the Defendant Texas Department of Family and Protective Services Motion for Summary Judgment. (Instrument No. 47). The Parties are instructed to submit additional briefing on: (1) whether there was consent for the child protective services officers to enter; (2) whether exigent circumstances existed to justify the removal of the children without a court order; and (3) the scope of a non-custodial grandparent's family integrity rights. Within twenty days from the issuance of this Order, Defendant will submit its supplemental brief. After the Defendant submits its supplemental brief, Plaintiff will have twenty days to submit a response. In Plaintiff's response, Plaintiff is instructed to address all the issues raised in the supplemental brief and submit all the evidence in support of the five counts contested in the Defendant's Motion for Summary Judgment (i.e. the seizure claims, the family integrity claim, removal of the children without a hearing claim, the zone of privacy claim, and the abuse of civil process).

The Clerk shall enter this Order and provide a copy to all parties.

**SIGNED** on this the 31st day of August, 2013, at Houston, Texas.



**VANESSA D. GILMORE  
UNITED STATES DISTRICT JUDGE**